

MINNIE TEMPLE PORTER,  
Complainant,

E Q U I T Y .

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA.

vs

MARK D. PORTER,  
Defendant.

DEPOSITIONS OF M. TEMPLE PORTER AND FRANCES CRAWFORD,  
WITNESSES FOR COMPLAINANT.

The said witnesses appeared me the undersigned Commissioner at the time and place hereinafter stated and, after being by me duly sworn to tell the truth, the whole truth and nothing but the truth, upon examination by Complainant's Solicitor, testified as follows:

M R S F R A N C E S C R A W F O R D .

I am a life-long resident of Fairhope and Business Manager of the "Courier." I have known Mrs Temple Porter all of her life and live not far from her. I know of her mistreatment by her husband for the past four years and while I have never seen him in the act of striking or abusing her, I know that this was done from having seen her immediately afterward on several occasions when she would show me the bruised places on her face and neck where he had struck and choked her and have seen her in an hysterical state after his spells of temper and abuse.

When sober, Mark Porter is pleasant and agreeable but his mean qualities come out when he is intoxicated. He is a large man, she a slender nervous woman, badly upset by the life she has been compelled to lead for the past four years, though she looks much better in the past few weeks that she has been away from him. She was always a good wife, devoted to her home and children and the way she has endured him and his treatment has been well known in Fairhope. She put up with this till last summer when he beat her severely and she warned him that a repetition would mean separation. He let up for a while but in January last came home one night drunk and beat up her mother, who was temporarily in the house and asleep, and choked his wife who ran to the house of a neighbor and who has lived apart from him since, supporting their two children without any help from him.

*Frances Crawford*

M R S T E M P L E P O R T E R .

I am the Complainant in this cause. Mark Porter and I were married August 31st, 1926 in Fairhope and have lived there ever since. We have two children, a son, Dorman, aged eight and a little daughter, Patricia, four who live with me and whom I am supporting with no help from my husband other than about six dollars that he gave us in January last.

In the last four years he has been treating me very badly. He has been drinking and when he would come home drunk

no matter how late it was, he would be quarrelsome and abusive. He would turn on all lights and the radio full blast, waking the children and if a word of remonstrance was said to him, he would resent it, often with a blow. On such occasions he has repeatedly struck or choked me, which he can easily do, being a large powerful man. All of my neighbors knew of his treatment, as on several occasions I have had to run from the house to escape him. In the latter part of last summer he beat me so severely that I warned him that if he did it again I would leave him. He stopped for a while but on the night of January 18th last, he came home about two-thirty and without any cause went into the room where my mother was asleep and commenced to slap her violently. I ran in and tried to stop him and he caught me by the throat and started choking me. I succeeded in slipping out of his grasp and ran to near neighbor's where I stayed till he moved out of the house about a week or more later, since which I moved back in with the children and we have lived apart from him ever since. Many of my friends have warned me against continuing to live with Markand from the way he has treated me I am confident that if I continued to do so, it is only a question of time before he did me serious harm. I have given him too many trials to believe that a man who drinks as he does can ever be trusted. I am working and supporting my two children and though he works, though not steadily he has not given us a thing since January and then only a little over six dollars. He seems to spend his money as fast as he makes it.

*Temple Porter*  
 . . . . .

I, Elizabeth Slaughter, the Commissioner named in the attached Commission, do hereby certify that in a case pending in the Circuit Court of Baldwin County wherein Minnie Temple Porter is Complainant and Mark D. Porter, Defendant, by virtue of the power conferred on me by said Commission I caused the witnesses therein named, Frances Gaston Crawford and Minnie Temple Porter to appear before me in the office of Complainant's Solicitor in Fairhope, where, on March 3rd, 1936, on examination by Complainant's Solicitor they testified as is here set forth, and their testimony being reduced to writing in as near as possible the language of the witnesses, they read over same and signed same in my presence.

I further certify that I am not of counsel or of kin to either party or in anywise interested in the outcome of the cause.

In witness whereof I hereto set my hand and seal as Commissioner this the third day of March, 1936.

*Elizabeth Slaughter* . . . SEAL

The State of Alabama, {  
Baldwin County

CIRCUIT COURT

To Mrs Elizabeth. Slaughter.

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Mrs Minnie Temple Porter. Mrs Francis Crawford.  
Mrs Mildred Roberts. and Mrs Bray.

as witnesses in behalf of Complainant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Minnie T Porter.

Complainant  
and Mark D Porter.

Defendant,  
on oath to be by you administered, upon Them.  
to take and certify the deposition ... of the witness .... and return the same to our Court, with all convenient speed, under your hand.

Witness 3rd day of March. 1936

*J. Parker S. Deuch*

REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

MINNIE TEMPLE PORTER  
Complainant

vs

MARK D. PORTER  
Defendant

EQUITY

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

KNOW ALL MEN BY THESE PRESENTS that MINNIE TEMPLE PORTER is held and firmly bound unto MARK D. PORTER in the sum of ONE HUNDRED DOLLARS, for the payment of which she binds herself, her heirs, executors, and administrators.

The condition of the above obligation is that WHEREAS the said Minnie Temple Porter has filed her bill of Complaint in the Circuit Court of Baldwin County, Alabama, and has obtained thereon from the Hon. F. W. Hare, Judge of said Court, an injunction to restrain and enjoin the said Mark D. Porter from molesting or harming the Complainant, her mother, or any other member of Complainant's family.

NOW THEREFORE, if the said Minnie Temple Porter pay all damages and costs which the said Mark D. Porter may sustain by the suing out of such injunction, if the same be dissolved by the Circuit Court of Baldwin County, then this obligation to be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the obligator has hereto set her hand and seal this the twenty-first day of January, 1936.

Minnie Temple Porter (SEAL)

Approved Jan 24th 1936  
Porter & Deak-Register

MINNIE TEMPLE PORTER  
Complainant

VS

MARK D. PORTER  
Respondent

NUMBER 192  
E Q U I T Y  
CIRCUIT COURT  
BALDWIN COUNTY, ALABAMA

Comes MINNIE TEMPLE PORTER, Complainant in this cause, and respectfully shows:

That in the decree rendered in this cause on the seventh day of March, 1936, the Court expressly ordered that this cause be retained in Court and reserve the power to make such further orders including modifications of the decree from time to time as may be just and equitable.

Complainant now prays that this cause be reopened and that she be allowed to amend her bill by striking from the tenth line of the prayer thereof the words "bed and board of", and that said cause be again submitted upon the bill as amended and the testimony on file in the cause and a decree a vinculo matrimonio rendered, divorcing her from the said Mark D. Porter.

Complainant further prays that notice of this motion be given said Mark D. Porter and he be required to answer same within such time as this Court may prescribe.

*Elliot G. Ristaby*  
Solicitor for Complainant.

The State of Alabama, }  
Baldwin County

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

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MINNIE T. PORTER,  
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Complainant-----  
vs.  
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MARK D. PORTER,  
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Defendant-----

In Equity.

The Complainant

requests the oral examination of the following named witnesses, on behalf of the

Complainant

viz:

- ..... Mrs. Minnie Temple Porter, .....
- ..... Mrs. Frances Crawford, .....
- ..... Mrs. Mildred Roberts, .....
- ..... Mrs. Bray, .....

said witnesses reside in the County of Baldwin  
State of Alabama.

Mrs Elizabeth Slaughter who resides at  
Fairhope

or, The Register of this Court is suggested as a suitable person  
to be appointed Commissioner to take the deposition of said witness on such oral examination.

*Elizabeth A. R. Slaughter*

Solicitor for Complainant.

6500 Paid  
Pay Comptroller

MINNIE TEMPLE PORTER  
Complainant

VS

MARK D. PORTER  
Respondent

NUMBER 192

E Q U I T Y

CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

Comes the Respondent and waives notice of the motion of Complainant to reopen this cause and set aside the decree heretofore rendered on March 7, 1936, and also to amend nunc pro tunc the bill in said cause by striking from the tenth line of the prayer thereof the words "the bed and board of." Respondent further agrees that said cause may be resubmitted for final decree without further notice to him upon the bill as amended and the evidence now on file.

*Witness Wm Stanzel.*

*Mark D Porter*  
Respondent

MINNIE TEMPLE PORTER,  
Complainant  
vs.  
MARK D. PORTER,  
Respondent.

EQUITY  
CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

No. 192

This cause coming on to be heard upon the motion of Complainant to set aside the decree previously rendered on March 7th, 1936, to amend the prayer of the bill so as to pray for an absolute divorce and to resubmit upon the testimony already on file and notice having been duly accepted by Respondent and who consents to submission thereon; IT IS THEREFORE ORDERED that the decree of divorce a mensa et thoro rendered on March 7th, 1936 be and the same is hereby set aside.

IT IS FURTHER ORDERED that Complainant, he and she is hereby permitted to amend the prayer of her said bill by striking out the words "bed and board of" from the tenth line of the prayer;

The said cause being now submitted upon the bill as amended, note of evidence and testimony on file and same being duly considered, the Court is of the opinion that Complainant is entitled to the relief prayed for in her amended bill; therefore

It is hereby ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore existing between Complainant and Respondent be and the same are hereby dissolved and the said Minnie Temple Porter is forever divorced from the said Mark D. Porter upon the proof of the grounds alleged in said bill.

IT IS FURTHER ORDERED that the said Minnie Temple Porter he and she hereby is permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that Complainant have the sole and undisputed custody of Dorman Porter and Patricia Porter, the children of said marriage, subject to the right of Respondent to visit said children during the reasonable daylight hours.

IT IS FURTHER ORDERED that Respondent pay to Complainant for the support and maintenance of said children until they reach the age of sixteen years such sum as alimony as his circumstances permit but as it appears to the Court that the Respondent has not now regular employment the amount to be so paid is not now fixed and it is further ordered that the Court expressly retains jurisdiction of this cause with the respect to the alimony and the custody of the children and reserves the power to make such further orders in the premises as from time to time the facts and circumstances may require.

IT IS FURTHER ORDERED that neither party shall marry again except to each other until sixty days after this date and after all costs have been paid in full and that if an appeal is taken within sixty days neither shall marry again except to the other during the pendency of said appeal.

IT IS FURTHER ORDERED that the said Mark D. Porter pay the costs herein taxed, for which execution may issue and if such execution be returned "no property found" then execution for such costs may issue against the Complainant.

Done at Monroeville, Alabama this the 22nd day of December, 1936,

F. W. HARE  
Judge Circuit Court of  
Baldwin County, Alabama

I, ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Register of Circuit Court, in Equity.



M. TEMPLE PORTER  
DEPOSITIONS OF FRANCES G.  
M.T. PORTER, witnesses for Complainant.

*Delivered to  
Robert S. Duck*

Robert S. Duck Esq,

Register Circuit Court,

Bay Minette,  
Alabama



1935



Weymouth  
Sergeants  
Company.

Weymouth  
Sergeants  
Company.

Weymouth  
Sergeants  
Company.